

## **MINUTES OF ANNUAL TOWN MEETING MAY 5, 2008**

The Annual Town Meeting was convened on May 5, 2008, at the Corey Building. A quorum of 150 voters being reached and the meeting called to order by Moderator Thomas Raftery at 7:12 PM. There were 265 voters present. The meeting was adjourned at 10:15 PM.

Before the warrant was opened, the Moderator explained how the meeting would be conducted. Selectman Timothy Hult then thanked the volunteers on boards and committees for contributing their time and efforts in their service to the Town during the past year. Those retiring from public service were also thanked. Special tribute and a standing ovation was given to Robert J. Koning for his 45 years of service to the town.

**Article 1:** On motion of Timothy Hult, it was voted by majority vote that the reports of the Town Officers, Boards, Committees, Commissioners and Trustees as published in the Town Report for the Year 2007 be accepted and placed in the permanent records of the Town, it being understood that such acceptance does not constitute a ratification of the contents of those reports.

**Article 2:** On motion of Alan Carpenito, it was voted by majority vote that Fifty Five Thousand Dollars (\$55,000) be transferred from Article 4 Group Insurance of the Annual Town Meeting held April 30, 2007 to Article 4 Reserve Fund of the Annual Town Meeting held April 30, 2007 for a new total of such Fiscal Year 2008 Reserve Fund of One Hundred Forty Nine Thousand Five Hundred Fifty Four Dollars (\$149,554),

and further that Twenty Thousand One Hundred Forty Nine Dollars (\$20,149) be transferred from the Reserve for Debt Service – MSBA, which sum so transferred is to be used to pay for principal and interest on a portion of the debt service under for Fiscal Year 2008 as identified under Article 4 Long Term Debt of the Annual Town Meeting held April 30, 2007 for a new total of such Fiscal Year 2008 Long Term Debt of One Million One Hundred Thirty Nine Thousand Five Hundred Eighty Six Dollars (\$1,139,586).

**Article 3:** On motion of John D. Williams, it was voted by a declared two-thirds majority vote that Two Hundred Twenty Five Thousand Dollars (\$225,000) be transferred from the Stabilization Account to pay in accordance with a court judgment an ordered abatement of taxes and corresponding tax refund during Fiscal Year 2008 to a taxpayer of certain G.L. ch. 61 roll back taxes paid by said taxpayer, together with interest, in accordance with said Judgment.

**Article 4:** On motion of John D. Williams, it was voted by majority vote that Forty Eight Thousand Two Hundred Fifty Dollars and Thirty Nine Cents (\$48,250.39) be transferred from Fund Balance Reserved for Overlay Released by Assessors for Expenditures to pay in accordance with a court judgment an ordered abatement of taxes and corresponding tax refund during Fiscal Year 2008 to a taxpayer of certain G.L. ch. 61 roll back taxes paid by said taxpayer, together with interest, in accordance with said Judgment.

**Article 5:** On motion of John D. Williams, it was voted by majority vote that Thirty Six Thousand Three Hundred Forty Nine Dollars and Seven Cents (\$36,349.07) be transferred from Free Cash (Surplus Revenue) in the treasury of the Town to pay in accordance with a court

judgment an ordered abatement of taxes and corresponding tax refund during Fiscal Year 2008 to a taxpayer certain G.L. ch. 61 roll back taxes paid by said taxpayer, together with interest, in accordance with said Judgment.

**Article 6:** On motion of Michael E. Fitzgerald, it was voted by majority vote that no action be taken on this motion.

**Article 7:** On motion of Edward L. Storrs, Jr., it was voted by majority vote that Twenty Five Thousand Dollars (\$25,000) be transferred from Free Cash (Surplus Revenue) in the treasury of the Town to be spent by the Board of Selectmen for the purpose of professional services (Owner's Project Manager) and/or related expenses in connection with the design of a new school building for the Town of Carlisle.

**Article 8:** On motion of William R. Tice, Jr., it was voted by majority vote that the compensation of the following elective officers of the Town be fixed as provided by Chapter 41, Section 108 of the General Laws, as amended, for the fiscal year 2009, effective date July 1, 2008, as follows:

Moderator	\$50
Town Clerk	\$51,306
Assessors-Chairman	\$100
Second Member	\$100
Third Member	\$100

**Article 9:** On motion of Seth David Model, it was voted by majority vote that Twenty One Million Eight Hundred Forty Three Thousand Six Hundred Thirty Seven Dollars (21,843,637) be raised and appropriated from the FY 09 tax levy and other general revenues of the town to defray departmental and incidental expenses of the Town for FY 09 as set forth in column entitled "Article 9 & 16" of the chart accompanying this motion.

		<u>ARTICLES 9&amp;16</u>	<u>ARTICLES 13 &amp; 14</u>	<u>ARTICLE 15</u>
		<u>FY'09</u>	<u>FY'09</u>	<u>FY'09</u>
	<u>FY'08</u>	<u>Levy Limit</u>	<u>Stabilization/</u>	<u>Override</u>
	<u>Budget</u>	<u>Budget</u>	<u>Transfer Increases</u>	<u>Budget</u>
General Government	1,097,731	1,070,151	1,070,151	1,070,151
Protection of Persons & Property	1,807,387	1,836,773	1,836,773	1,836,773
Board of Health	77,491	77,491	77,491	77,491
Public Works	1,000,573	1,006,290	1,006,290	1,006,290
Public Assistance	110,731	110,731	110,731	110,731
Education	13,917,279	14,135,454	14,135,454	<b>14,387,064</b>
Library	487,110	487,110	487,110	487,110
Recreation	106,954	116,462	116,462	116,462
Insurance & Benefits	1,103,862	1,308,765	1,308,765	1,308,765
Unclassified	100,186	113,990	113,990	113,990

Retirement & Tax Title	472,764	522,882	522,882	522,882
Long Term Debt	1,119,437	1,057,538	<b>1,092,635</b>	1,092,635
<b>Total</b>	<b>21,401,505</b>	<b>21,843,637</b>	<b>21,878,734</b>	<b>22,130,344</b>

**Article 10:** On motion of Donald L. Rober, Jr., it was voted by majority vote that One Hundred Forty Nine Thousand Five Hundred Dollars (\$149,500), be raised and appropriated from the FY 09 tax levy and other general revenues of the town, to be spent by the Board of Selectmen, except for the items for the Carlisle Public Schools which sums are to be spent by the Carlisle School Committee, for the following capital purposes:

Fire Department	Protective Clothing	6,500
Fire Department	Pagers	5,000
Fire Department	Engine 5 repairs/modifications	15,000
Carlisle Public Schools	Roof	10,000
Carlisle Public Schools	Classroom Furniture	7,500
Carlisle Public Schools	Gym Bleacher Refurb.	8,000
Carlisle Public Schools	Corey Water Infiltration	12,500
Carlisle Public Schools	Misc. Maintenance	25,000
Town Administrator	ADA Compliance	5,000
Police Department	Police Cruiser	36,000
Police Department	Digital Radio	4,000
Police Department	Radar Units	10,000
Police Department	Holsters	5,000
TOTAL		149,500

**Article 11:** On motion of Douglas A. G. Stevenson, it was voted by majority vote that Five Thousand Dollars (\$5,000) be raised and appropriated from the FY09 tax levy and other general revenues of the Town to be spent by the Board of Assessors for the purpose of professional services in connection with revaluation of real estate and personal property in the Town.

**Article 12:** On motion of Douglas A. G. Stevenson, it was voted by majority vote that Four Thousand Dollars (\$4,000) be raised and appropriated from the FY09 tax levy and other general revenues of the Town to be spent by the Board of Selectmen for the purpose of professional services in connection with GASB 45 actuarial valuation of post employment benefits obligations for the Town.

**Article 13:** On motion of Douglas A. G. Stevenson, it was voted by majority vote that Twenty Thousand One Hundred Forty Nine Dollars (\$20,149) be transferred from the Reserve for Debt Services – MSBA account to add to the line item as voted in the motion pursuant to Article 9 of this Warrant titled “Long Term Debt”, thereby increasing the FY09 Long Term Debt

line item as voted pursuant to Article 9 to a new total of \$1,077,687, which sum so transferred is to be used to pay for principal and interest on a portion of the debt service in the town.

**Article 14:** On motion of Douglas A. G. Stevenson, it was voted by a declared two-thirds majority vote that Fourteen Thousand Nine Hundred Forty Eight Dollars (\$14,948) be transferred from the Stabilization Fund to add to the line item as voted in the motion pursuant to Article 9 of this Warrant titled “Long Term Debt”, thereby increasing the FY09 Long Term Debt line item as voted pursuant to Article 9 to a new total of \$1,092,635, which sum so transferred is to be used to pay for principal and interest on a portion of the debt service in the town, so that the resulting FY09 budget, for informational purposes only, would be as set forth in the column entitled “Articles 13 & 14” of the chart accompanying this motion.

	<u>ARTICLES 9&amp;16</u>	<u>ARTICLES 13 &amp; 14</u>	<u>ARTICLE 15</u>
	FY'09	FY'09	FY'09
FY'08	Levy Limit	Stabilization/	Override
<u>Budget</u>	<u>Budget</u>	<u>Transfer Increases</u>	<u>Budget</u>
<b>Long Term Debt</b>	<b><u>1,119,437*</u></b>	<b><u>1,092,635</u></b>	<b><u>1,092,635</u></b>

\*New total, if voted in Article 2, would be \$1,139,586 for the FY'08 Budget column.

**Article 15:** On motion of Timothy Hult, it was voted by majority vote that an additional amount of Two Hundred Fifty One Thousand Six Hundred Ten Dollars (\$251,610) be raised and appropriated to increase the appropriation voted for the Concord Carlisle Regional Schools in the motion pursuant to Article 9 of this Warrant, as shown on the chart below for a new Budget total of Fourteen Million Three Hundred Eighty Seven Thousand Sixty Four Dollars (\$14,387,064) from the FY 09 tax levy and other general revenues of the town provided however, this additional appropriation shall not take effect unless the Town votes by ballot to allow the town to assess this amount as additional real estate and personal property taxes in excess of the limits on total taxes imposed by Proposition 2 ½, so called (Chapter 59 Section 21C (g) of the General Laws) so that the resulting town budget, for informational purposes only, shall be as set forth in the column entitled “Article 15” of the chart accompanying this motion.

	<u>ARTICLES 9&amp;16</u>	<u>ARTICLES 13 &amp; 14</u>	<u>ARTICLE 15</u>
	FY'09	FY'09	FY'09
FY'08	Levy Limit	Stabilization/	Override
<u>Budget</u>	<u>Budget</u>	<u>Transfer Increases</u>	<u>Budget</u>
<b>Education</b>			
Carlisle Public Schools	8,416,520	8,941,684	8,941,684
CCRS D	4,403,975	4,772,248	<b>5,023,858</b>
CCRS D debt service	177,471	268,437	268,437
MMRHS	<u>182,878</u>	<u>153,085</u>	<u>153,085</u>
<b>sub-total</b>	<b><u>13,180,844</u></b>	<b><u>14,135,454</u></b>	<b><u>14,387,064</u></b>

**Article 16:** On motion of Seth David Model, it was voted by majority vote that One Hundred Forty Eight Thousand Four Hundred Sixteen Dollars (\$148,416) be appropriated to meet the appropriations for the FY'09 budget and to meet this appropriation, that One Hundred Forty Eight Thousand Four Hundred Sixteen Dollars (\$148,416) be transferred from Free Cash (Surplus Revenue) in the treasury of the town.

**Article 17:** On motion of William R. Tice, Jr., it was voted by majority vote that the revolving funds for School Buses, Board of Health Inspections, Hazardous Wastes, Trails Committee, Conservation Wetlands, Conservation Foss Farm, Conservation Building Maintenance, Historical Commission, Youth Commission, Building Inspector, and Council on Aging be authorized or reauthorized, as the case may be, for FY 09 pursuant to Chapter 44, Section 53 E1/2 with the revenue source, authority to spend, use of fund, and spending limit as designated below with the understanding that such Revolving Funds be credited with the balance remaining in such Revolving Fund at the end of FY 2008.

<b>Revenue Funds</b>	<b>Revenue Source</b>	<b>Authority to Spend</b>	<b>Use of Fund</b>	<b>Spending Limit</b>
School Buses	User Fees Collected by School	School Committee	To provide transportation for 7 <sup>th</sup> and 8 <sup>th</sup> grade students	\$60,000
Board of Health Inspections	Board of Health Fees	Board of Health	Specific expert engineering and consulting services to review septic and well installations and repairs, sanitary inspections and other appropriate reimbursable expenses.	\$50,000
Hazardous Wastes	Transfer Station User Fees & Grants Received	Board of Selectmen	Collection and disposal of household hazardous waste.	\$30,000
Trails Committee	Sale of Trails in Carlisle Book	Board of Selectmen	Building, maintaining and enhancing recreation trails.	\$5,000
Conservation Wetlands	Fees from Carlisle Wetland Protection Bylaw	Conservation Commission	Specific expert engineering and consulting services to review Wetland Bylaw filings and other appropriate reimbursable expenses.	\$30,000
Conservation Foss Farm	User Fees	Conservation Commission	Activities and maintenance associated with Foss Farm.	\$2,500
Conservation Building Maintenance	Fees and/or Rent	Conservation Commission	Maintenance and repairs associated with the Buildings located on Conservation Commission Lands	\$30,000
Historical Commission	Fees	Historical Commission	Reasonable expenses related to filings/applications.	\$3,000
Youth Commission	Event Admission Fees	Board of Selectmen	To provide for dances and other events sponsored by the Youth Commission.	\$5,000
Building	User	Board of	To cover inspectional services	\$75,000

Inspector	Fees	Selectmen		
Council on Aging	User Fees	Council on Aging	To provide for events sponsored Sponsored by the Council on Aging	\$10,000

**Article 18:** On motion of John D. Williams, it was voted by a declared two-thirds majority vote that the Treasurer of the Town, with the approval of the Selectmen, be authorized to borrow One Hundred Ninety Nine Thousand Twenty Four Dollars (\$199,024) to be expended by the Board of Selectmen for the reconstruction and improvement of public ways as provided for pursuant to the provisions of Section 34(2)(a) of Chapter 90 of the General Laws, such borrowing to be in anticipation of reimbursement by the Commonwealth pursuant to said Chapter 90.

**Article 19:** On motion of John D. Williams, it was voted by majority vote that Chapter 59 Section 5 (clause 41C) to grant an additional real estate property tax exemption of one hundred (100%) percent be accepted for the Town.

**Article 20:** On motion of William R. Tice, Jr., it was voted by a declared two-thirds majority vote that the Board of Selectmen be authorized to lease or otherwise allow the use of all or portions of those certain properties set forth below for the purposes of construction and operation of personal wireless service facilities for a period of Twenty (20) years:

the Fire Department property, known as Assessors Map 21, Parcel 1, lot 0 and located at 80 Westford Street;

the Town Hall property, known as Assessors Map 22, Parcel 82, lot 0 and located at 66 Westford Street;

the DPW property, known as Assessors Map 21, Parcel 10, lot 0 and Parcel 11, lot 0, off Lowell St.;

the Conant Property, known as Assessors Map 20, Parcel 6, lot 0, off Rockland Road.

**Article 21:** On motion of Kelly Jo Guarino, it was voted by majority vote that the Community Preservation Committee recommendations for expenditures for Fiscal Year 2009 be approved as follows:

Motion 1: That the following amounts be appropriated from the FY'09 Community Preservation Fund estimated revenues to the Community Preservation Fund accounts as follows:

- a. Fifty Three Thousand Six Hundred Fifty Two Dollars (\$53,652) be appropriated to the Community Housing Reserve Fund.
- b. Fifty Three Thousand Six Hundred Fifty Two Dollars (\$53,652) be appropriated to the Historic Reserve Fund.
- c. One Hundred Forty Seven Thousand Dollars (\$147,000) be appropriated for Debt Service Principal Payment on Open Space Borrowing comprised of \$53,652, which is the 10% designated to the Community Preservation Open Space Reserve Fund and \$93,348 from the 70% unreserved.
- d. Thirty Seven Thousand Seven Hundred Seventy Dollars (\$37,770) be appropriated for Debt Service Interest Expenses.
- e. Five Thousand Dollars (\$5,000) be appropriated for Administrative Expenses.

- f. Two Hundred Thirty Nine Thousand Four Hundred Forty Six Dollars (\$239,446) be appropriated for the FY'09 Community Preservation Budgeted Reserve.

Motion 2: That Motion 6 of Article 26 of the Annual Town Meeting held May 1 and 2, 2006 in the amount of Two Hundred Thousand Dollars \$200,000 for the Board of Selectmen to expend for two additional affordable units at the "Coventry Woods", be hereby rescinded, and that the Two Hundred Thousand Dollars \$200,000 having not been spent, be returned to the Community Preservation Undesignated Fund balance.

Motion 3: That Four Thousand Dollars (\$4,000) be appropriated to be spent by the Board of Selectmen with the approval of the Carlisle Historical Commission for the conservation, assessment and cleaning for the Soldiers Monument in the center of the Carlisle rotary and to meet this appropriation Four Thousand Dollars (\$4,000) be transferred from the Community Preservation Historical Fund balance, provided however, that all or any portions of this appropriation not so expended on or before December 31, 2009 shall not be further expended and shall be restored to the Community Preservation Historical Fund.

Motion 4: That Two Thousand Five Hundred Dollars (\$2,500) be appropriated to be spent by the Board of Selectmen with the approval of the Carlisle Historical Commission for the conservation and exhibiting of artifacts related to the history of Carlisle and to meet this appropriation Two Thousand Five Hundred Dollars (\$2,500) be transferred from the Community Preservation Historical Fund balance, provided however, that all or any portions of this appropriation not so expended on or before December 31, 2009 shall not be further expended and shall be restored to the Community Preservation Historical Fund.

Motion 5: That Forty Thousand Dollars (\$40,000) be appropriated for the Trustees of the Gleason Public Library to expend for professional services of a preservation specialist, the development of a plan of preservation, reconstruction and the oversight of successful implementation of the plan to preserve the library facade and to meet this appropriation Forty Thousand Dollars (\$40,000) be transferred from the Community Preservation Historical Fund, provided however, that all or any portions of this appropriation not so expended on or before December 31, 2010 shall not be further expended and shall be restored to the Community Preservation Historical Fund.

Motion 6: That Ninety Eight Thousand Dollars (\$98,000) be appropriated for the Board of Selectmen to expend for the refurbishment of the war memorial area and replacement of the war memorials located on the Town Common and some additional grading work on the Common near the flag pole and to meet this appropriation Ninety Eight Thousand Dollars (\$98,000) be transferred from the Community Preservation Undesignated Fund balance, provided however, that all or any portions of this appropriation not so expended on or before December 31, 2010 shall not be further expended and shall be restored to the Community Preservation Undesignated Fund.

Motion 7: That Four Hundred Twenty Five Thousand Dollars (\$425,000) be appropriated for the Carlisle Affordable Housing Trust to expend for the purpose of developing infrastructure on the land known as Benfield Parcel A relating to the potential development of senior affordable housing and to meet this appropriation Four Hundred Twenty Five Thousand Dollars (\$425,000) be transferred from the Community Undesignated Fund balance, provided however, that all or any portions of this appropriation not so expended on or before December 31, 2011 shall not be further expended and shall be restored to the Community Preservation Undesignated Fund.

**Article 22:** On motion of William R. Tice, Jr., it was voted by a declared two-thirds majority vote that Great Brook Path be laid out and accepted as a town way, as shown on the plan entitled "Great Brook Path in Carlisle, Mass.", dated July, 2007 and further that the Board of Selectmen be authorized to acquire by purchase, gift or eminent domain the fee or lesser title interests in said way.

**Article 23:** On motion of William R. Tice, Jr., it was voted by a declared two-thirds majority vote that Koning Farm Road be laid out and accepted as a town way, as shown on the plan entitled "Koning Farm Road Carlisle, Massachusetts", dated February 9, 2007, revised July 12, 2007 and Sept. 10, 2007, and further that the Board of Selectmen be authorized to acquire by purchase, gift or eminent domain the fee or lesser title interests in said way.

**Article 24:** On motion of Alan Carpenito, it was voted by majority vote that the Board of Selectmen be hereby authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen may determine, consistent with the requirements of Section 4A of Chapter 40 of the General Laws, with one or both of the Towns of Acton and Westford, for the purpose of obtaining grants or other funding from the Massachusetts Highway Department or other federal, state, county or municipal government or agency thereof, and/or from a charitable foundation, a private corporation, or an individual, to effectuate the acquisition, design and construction of the Bruce Freeman Rail Trail.

**Article 25:** On motion of Timothy Hult, it was voted by a declared two-thirds majority vote that the Treasurer of the Town of Carlisle, with the approval of the Board of Selectmen be hereby authorized to borrow pursuant to any applicable statute from the Massachusetts Water Pollution Abatement Trust, or otherwise from any source, Two Hundred Thousand Dollars (\$200,000) for the purposes of the Board of Health to expend directly or indirectly pursuant to G. L. Chapter 111, s. 127B1/2 or any other applicable statute, as loans to homeowners for the design, construction, repair, replacement and/or upgrade of septic systems and any other work related to water-pollution abatement projects authorized pursuant to written agreements between the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of Massachusetts General Laws and further that the Board of Selectmen be authorized to accept any interest in property to secure repayment of such funds.

**Article 26:** On motion of Timothy Hult, it was voted by a declared two-thirds majority vote that the Board of Selectmen be authorized to acquire by gift, purchase or eminent domain easements of real property described below for rights of way purposes:



the Lowell Street Pathway as shown on the plan entitled “Proposed Footpath Plan of Land Lowell Street” dated October 4, 2005, revised August 28, 2007 and October 9, 2007;

the East Street Pathway as shown on the plan entitled “East Street Plan of Proposed Bike and Pedestrian Path Carlisle, Massachusetts” dated April 2005, revised August 27, 2007;

the Concord Street Pathway as shown on plan entitled “Proposed Footpath Plan of Land Concord Street Carlisle, Massachusetts, dated October 4, 2005, revised August 28, 2007 and October 9, 2007;

the Bedford Road Pathway as shown on the plan entitled "As-Built Sidewalk Plan, Bedford Road, Carlisle, MA", dated May 25, 2005.

**Article 27:** On motion of Nicole Burkel, it was voted by majority vote that the Carlisle School Committee or their designee be authorized to enter into a contract for a duration of five years for pupil transportation bus services.

**Article 28:** On motion of Jeffrey A. Brem, it was voted by majority vote that Section 1.4.2 of the Town of Carlisle General Bylaws, Non-criminal Disposition, be hereby amended to include the following new additional language at the end of the existing text:

Board of Health –

Enforce the Town of Carlisle Supplementary Sewage Disposal Regulations and Water Supply Regulations in accordance with M.G.L. c.111, sec. 31 \$300.00 per violation